IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

WP(C).No. 20814 of 2006(C)

LAR.62/2002 of SUB COURT, CHERTHALA
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PETITIONER:

KERALA STATE INDUSTRIAL DEVELOPMENT CORPORATION LTD., REP. BY ITS MANAGER, INDUSTRIAL GROWTH CENTRE, K.S.I.D.C., CHERTHALA.

BY ADV. SRI.G.S.REGHUNATH

RESPONDENTS:
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1. **OUSEPH ULAHANNAN, THALIYADIYIL, PALLIPPURAM, CHERTHALA.**

2. **STATE OF KERALA, REP. BY THE SPECIAL TAHSILDAR (LA), INDUSTRIAL GROWTH CENTRE, CHERTHALA.**

BY ADV. SRI.P.SANTHOSH KUMAR (PANAMPALLI NAGAR) for r1
SRI.LUIZ GODWIN D'COUTH
BY GOVERNMENT PLEADER SSRI. THOMAS JOHN AMBOOKAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.20814/2006 C

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE JUDGMENT IN L.A.A.NO.725/2004 OF THIS HON'BLE COURT.

EXT.P2: COPY OF THE PETITION IN LAR 62/2002 ON THE FILE OF THE SUB COURT, CHERTHALA.

EXT.P3: COPY OF THE DEPOSITION OF AW1 IN LAR 62/2002 OF THE SUB COURT, CHERTHALA.

EXT.P4: COPY OF THE ORDER DTD. 22/07/2006 IN I.A.452/06 IN LAR 62/2002 ON THE FILE OF THE SUB COURT, CHERTHALA.

/TRUE COPY/

P.A. TO JUDGE

KSS

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 20814 of 2006

Dated this the 26th day of July , 2007

JUDGMENT

The grievance of the petitioner, requisitioning authority in a land acquisition proceedings, is that the learned sub judge dismissed their application for recalling the claimant for cross examination.

2. Having considered the rival submissions, this writ petition will stand disposed of in the following terms:

3. The impugned order is set aside and the application filed by the petitioner for permission to cross examine the claimant, who was examined as AW1 is granted on condition that the petitioner pays a total amount of Rs.1,500/- out of which Rs.1,000/-(Rs.One Thousand) will be paid to the claimant either directly in the court below or through his counsel in this court and Rs.500/-(Rs.Five Hundred) will be paid to the Cherthala Taluk Legal Service Committee. Payments as directed above shall be made by the petitioner within three weeks from today,

failing which the application will stand dismissed and Ext.P4 will stand confirmed.

3. Once it is seen that payment has been made and the directions in this judgment allowing the I.A. has become operative, the learned Subordinate Judge will post the E.P. and ensure that cross examination of AW1 is conducted by the counsel for the petitioner at the earliest and judgment in L.A.R. NO.62/2002 is delivered without further delay i.e. at any rate within two months thereafter.

PIUS C. KURIAKOSE,
JUDGE.

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